

REMARKS

- A. The specification was objected to for minor informalities in paragraph [0039]. Accordingly, it is believed the foregoing amendment overcomes the objection.
- B. Claim 17 was objected to for informalities noted by the Examiner. Accordingly, it is believed that the foregoing amendment overcomes the objection.
- C. Claims 1-16 were rejected under 37 U.S.C. §103(a) based on the application of various references. These rejections are deemed moot in view of the amendments to claims 1, 7, 10 and 14.
- D. Claim 17 was rejected under 35 U.S.C. §103(a), as rendered obvious and unpatentable, over Applicant's Admitted Prior Art (Fig. 5) in view of Lee (U.S. Patent No. 6,608,907) in further view of Lindemann et al. (U.S. Patent Publication No. 2004/0223622), Schupak (U.S. Patent No. 6,069,621), Curtin (U.S. Patent No. 6,684,060), Watanabe et al. (U.S. Patent No. 6,433,832) and Williams, Jr. et al. (U.S. Patent No. 6,175,861). The Applicant respectfully traverses this rejection for the following reason(s).

Claim 17 calls for a wireless module separately modulating each video component and each audio component of said Y/Pb/Pr video signal and said 5.1 channel audio using different center frequencies, combining the modulated signals and wirelessly transmitting the combined signal from a first antenna.

With respect to the applied art, the Examiner notes that only Schupak apparently teaches *combining the modulated signals and wirelessly transmitting the combined signal from a first antenna.*

Although Schupak does disclose that a computer 2 outputs an audio/video signal at terminal 3. And that, instead of using a wired transmission, the audio/video signal can be wirelessly transmitted, Schupak does not teach nor provide a description which would enable one of ordinary skill in the art to combine *each video component and each audio component of said Y/Pb/Pr video signal and said 5.1 channel audio using different center frequencies.*

Even if the other art teaches using different center frequencies to modulate each video component and each audio component of said Y/Pb/Pr video signal and said 5.1 channel audio, none of the art teaches how such differently modulated signals can be combined as one signal to be transmitted wirelessly.

Inquiry is not whether each element existed in the prior art, but whether the prior art made obvious the invention as a whole. See *Hartness International, Inc. v. Simplimatic Engineering Co.*, 819 F.2d 1100, 2 USPQ2d 1826 (Fed. Cir. 1987).

A finding of a *prima facie* case of obviousness requires more than an indication that the elements are known to exist in the art. There must be some reason to combine references other than using the applicant's claims as a blueprint in an improper hindsight rejection.

In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)

One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.

In re Rijckaert, 228 USPQ2d 1955 (CAFC 1993) states:

"A *prima facie* case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art." *In re Bell*, 991 F.2d 781, 782, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993) (quoting *In re Rhinehart*, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976)). If the examiner fails to establish a *prima facie* case, the rejection is improper and will be overturned. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988).

Accordingly, the rejection of claim 17 is deemed to be in error and should be withdrawn.

Claims 1, 7, 10 and 14 have been amended to include the feature of combining the signals modulated by the plurality of frequency-modulators and transmitting the combined signals.

A proper rejection requires a teaching that it is known in the art to combine plural frequency modulated signals for wireless transmission as a combined signal.

Accordingly, claims 1-16 are also deemed to be allowable over the art of record.

The examiner is respectfully requested to reconsider the application, withdraw the objections and/or rejections and pass the application to issue in view of the above amendments and/or remarks.

Should a Petition for extension of time be required with the filing of this Amendment, the Commissioner is kindly requested to treat this paragraph as such a request and is authorized to

charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of the incurred fee if, **and only if**, a petition for extension of time be required **and** a check of the requisite amount is not enclosed.

Respectfully submitted,



Robert E. Bushnell
Attorney for Applicant
Reg. No.: 27,774

1522 K Street, N.W.
Washington, D.C. 20005
(202) 408-9040

Folio: P56623
Date: 9/5/06
I.D.: REB/MDP